

correct. Therefore, Defendants' Motion to Dismiss the claims against Defendants Tipton County Sheriff's Department, Sheriff C.D. Lewis, in his official capacity, and Captain J.B. Mitchell, in his official capacity is GRANTED. The Motion to Dismiss Payne's demand for punitive damages is also GRANTED.

So ordered this 28th day of November 2005.



SAMUEL H. MAYS, JR.

UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 2:05-CV-02310 was distributed by fax, mail, or direct printing on December 1, 2005 to the parties listed.

Jennifer L. Brenner
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 20207
Nashville, TN 37202

Danese K. Banks
COCHRAN CHERRY GIVENS SMITH & BOLTON
One Commerce Square
Ste. 2600
Memphis, TN 38103

James I. Pentecost
PENTECOST GLENN & RUDD, PLLC
106 Stonebridge Blvd.
Jackson, TN 38305

Brandon O. Gibson
PENTECOST GLENN & RUDD, PLLC
106 Stonebridge Blvd.
Jackson, TN 38305

Honorable Samuel Mays
US DISTRICT COURT